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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION SUBCOMMITTEE TO REVIEW STATUTE REVISIONS
MEETING DATE AND TIME:	Tuesday, April 27, 2010 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Public Service Commission Hearing Room First floor of the Cannon Building
MINUTES APPROVED:	June 15, 2010

MEMBERS PRESENT

Christopher J. Whitfield
Ricky H. Allamong
Andy Staton
Vincent White
Larry Tims

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Heeney, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

ALSO PRESENT

Andy Taylor

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:12 a.m.

REVIEW OF MINUTES

The Subcommittee reviewed the minutes from the March 18, 2010 meeting. A motion was made by Mr. Allamong, seconded by Mr. Staton to approve the minutes. The motion passed by majority vote.

REVIEW OF PROPOSED STATUTE REVISIONS

Mr. Allamong reported that Deborah Puzzo, Executive Director of the Sunset Committee, had contacted him about attending the May Commission meeting to give an overview of the sunset review process. He advised that he will be making a motion at the May Commission meeting that Mr. Whitfield be the liaison contact person for sunset review process. Mr. Taylor reported that DAR had discussed submitting the proposed revisions to the statute as proposed legislation during this legislative session, but has decided against this. The Subcommittee's plan is to have the proposed revisions completed so they can be attached to sunset review questionnaire. The sunset review questionnaire is due back to the Sunset Committee in September.

DISCUSSION: PROPOSED REVISIONS TO THE RULES AND REGULATIONS

Ms. Melvin had provided members with a list of topics for discussion for possible proposed revisions to the rules and regulations. The following is a list of items that was to be reviewed by the person indicated for possible proposed revisions to the rules and regulations.

Score on credit report for brokers – Mr. Staton
List of qualified transactions for brokers – Mr. Whitfield
Advertising – Mr. White
Disclosure – Mr. Allamong
Office requirements – Mr. Allamong
Continuing education requirements – Mr. Tims
Renewal of licenses and authority for rule to show cause hearings – Ms. Heeney
Broker of record responsibilities – Mr. Allamong

A discussion was held regarding requiring a specific score on a credit report when applying for a broker's license. A motion was made by Mr. Staton, seconded by Mr. Tims to remove the credit report requirement from the broker's application process. The motion passed unanimously.

A discussion was held regarding the requirements for an office. It was discussed whether or not the Commission should be approving the zoning of an office. It was suggested having the broker of record affirm that the office meets the proper zoning requirements.

A discussion was held regarding the list of qualified transactions for brokers. Mr. Whitfield stated that under the current rules and regulations, the Commission has the right to waive the current requirement. It was discussed having leases, sales and a combination of both as qualified transactions. A motion was made by Mr. Allamong, seconded by Mr. White to revise the rules and regulations to allow for 30 sales, leases and/or rentals or other qualified transactions. The motion passed unanimously.

Mr. White reported on advertising. He reported that the rules and regulations need to be updated based on the new ways of communicating with customers, such as email, internet, twitter and facebook. He will draft a proposal for review at the next meeting.

Mr. Allamong will review disclosure and broker of record responsibilities for discussion at the next meeting. Mr. White will work with Ms. Heeney on revising the list of substantially related crimes for discussion at the next meeting.

DISCUSSION: EXPANSION OF SUBCOMMITTEE MEMBERS

A discussion was held about expanding the number of Subcommittee members. It was decided not to expand the number of members at this time.

OTHER BUSINESS BEFORE THE SUBCOMMITTEE (for discussion only)

There was no other business before the Subcommittee.

PUBLIC COMMENT

Mr. Taylor suggested reviewing the Sunset Committee's 2001 final report to see what recommendations it made regarding revisions to the rules and regulations.

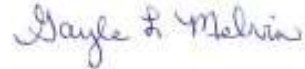
NEXT SCHEDULED MEETING

The next meeting was scheduled for June 7, 2010 at 9:00 a.m.

ADJOURNMENT

A motion was made by Mr. Allamong, seconded by Mr. Tims to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 10:42 a.m.

Respectfully submitted,



Gayle L. Melvin
Administrative Specialist III